

The Defendant's motion for downward variance will be heard at sentencing.

IT IS ORDERED:

1. The Court's tentative findings are that the parties' objections (Filing Nos. 60, 61) to the PSR are granted;
2. The parties are notified that my tentative findings are that the PSR is correct in all other respects;

3. If **any** party wishes to challenge these tentative findings, the party shall file, as soon as possible but in any event before sentencing, and serve upon opposing counsel and the court a motion challenging these tentative findings, supported by (a) such evidentiary materials as are required (giving due regard to the requirements of the local rules of practice respecting the submission of evidentiary materials), (b) a brief as to the law, and (c) if an evidentiary hearing is requested, a statement describing why an evidentiary hearing is necessary and an estimated length of time for the hearing;

4. Absent submission of the information required by paragraph 3 of this order, my tentative findings may become final;

5. Unless otherwise ordered, any motion challenging these tentative findings shall be resolved at sentencing; and

6. The Defendant's motion for downward variance (Filing No. 63) will be heard at sentencing.

DATED this 7<sup>th</sup> day of July, 2008.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge